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Counsel for Eagle Rock Asset Management, LLC

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON  
FKA THE BANK OF NEW YORK AS  
TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF THE  
CWABS, INC. ASSET-BACKED  
CERTIFICATES, SERIES 2005-12,

Plaintiff,

v.

STEWART TOWN HOMEOWNERS  
ASSOCIATION; EAGLE ROCK ASSET  
MANAGEMENT, LLC; ABSOLUTE  
COLLECTION SERVICES, LLC;

Defendants.

Case No. 2:17-cv-00128

**STIPULATION AND  
ORDER TO EXTEND TIME TO  
RESPOND TO COMPLAINT**

(Second Request)

Pursuant to Local Rule IA 6-1 of the United States District Court for the District of Nevada, Defendant Eagle Rock Asset Management, LLC ("Eagle Rock") and Plaintiff The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of the CWABS, Inc. Asset-Backed Certificates, Series 2005-12 ("BNY Mellon"), by and through their respective undersigned counsel, hereby stipulate as follows:

1. BNY Mellon filed its Complaint on or about January 13, 2017;
2. Eagle Rock was served with the Complaint on or about January 17, 2017;
3. Eagle Rock's deadline to respond to the Complaint was February 7, 2017;

1           4.       The parties previously agreed, and the Court ordered, that Eagle Rock's time to  
2 respond to the Complaint be extended until February 21, 2017, to allow time for Eagle Rock to  
3 finalize a settlement agreement impacting this case;

4           5.       Through no fault of Eagle Rock, the settlement agreement is not yet finalized, but  
5 Eagle Rock believes it will be finalized shortly;

6           6.       Accordingly, BNY Mellon and Eagle Rock have agreed that Eagle Rock shall have an  
7 additional 30 days to respond to the Complaint, through and including March 23, 2017;

8           7.       This is the second such request;

9           8.       An additional thirty days for Eagle Rock to answer or otherwise respond to BNY  
10 Mellon's Complaint will not alter the date of any event or deadline already fixed by the Court or  
11 prejudice any party;

12           8.       Good cause exists to grant the stipulation as the additional thirty days are needed to  
13 allow the settlement agreement to be finalized;

14           8.       BNY Mellon and Eagle Rock agree that Eagle Rock shall have up to and including  
15 March 23, 2017, to file a responsive pleading to BNY Mellon's Complaint.

16           IT IS SO STIPULATED.

17           DATED this 21<sup>st</sup> day of February, 2017.

              DATED this 21<sup>st</sup> day of February, 2017.

18           TAKOS LAW, LTD.

              AKERMAN LLP

19                       /s/ Zachary P. Takos  
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/s/ Vatana Lay  
              Melanie D. Morgan, Esq., NV Bar No. 8215  
              Vatana Lay, Esq., NV Bar No. 12993  
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              Las Vegas, Nevada 89144  
              Counsel for BNY Mellon

23           IT IS SO ORDERED.

24                                 
25           UNITED STATES DISTRICT COURT JUDGE/  
              UNITED STATES MAGISTRAGE JUDGE

26           DATED: February 22, 2017

27           CASE NO. 2:17-cv-00128